

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF VAN BUREN

TAPPER MOTORS, INC.

Appellant,

Case No. 01-48-849-AA-B

v.

Hon. William C. Buhl

MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Appellee.

Kelly L. Page (P24787)
Attorney for Appellant
203 South Niles Street
Paw Paw, MI 49079
(616) 657-5591

Joshua W. Gubkin (P59972)
Assistant Attorney General
Attorney for Appellee
Natural Resources and Environmental Quality Division
Constitution Hall, 5th Floor – South Tower
525 West Allegan Street
Lansing, MI 48933
(517) 373-7540

ORDER

At a session of said Court held in
the Van Buren County
Courthouse, Paw Paw, MI on
August 20, 2002

PRESENT: Hon. William C. Buhl
Circuit Court Judge

This matter came before the Court on Appellant's Claim of Appeal. The Court reviewed and considered the parties' briefs in support and in opposition thereto, entertained argument from counsel, and rendered its ruling from the bench. In conformity therewith:

IT IS ORDERED that, for the reasons stated on the record, the Court denies Appellant Tapper Motors' Claim of Appeal.

IT IS FURTHER ORDERED that, Appellant Tapper Motors shall pay the \$20,200 penalty assessed by the MDEQ in its correspondence dated February 25, 2002 within 30 days of entry of this Order to the "State of Michigan-Department of Environmental Quality, Storage Tank Division" at the following address:

Michigan Department of Environmental Quality
Storage Tank Division
Constitution Hall
5th Floor, South Tower
525 West Allegan Street
P.O. Box 30175
Lansing, MI 48909-7657

~~**IT IS FURTHER ORDERED** that, Appellant Tapper Motors shall pay an additional \$1,000 per day for each day after entry of this Order that Appellant Tapper Motors fails submit a Final Assessment Report that fully complies with the requirements of Section 21311a of the Natural Resources and Environmental Protection Act, MCL 324.21311a.~~

Dated: August 30, 2002


Hon. William C. Buhi
Circuit Court Judge

STATE OF MICHIGAN
THE THIRTY SIXTH CIRCUIT COURT FOR VAN BUREN COUNTY

* * *

TAPPER MOTORS, INC.

Appellant,

v

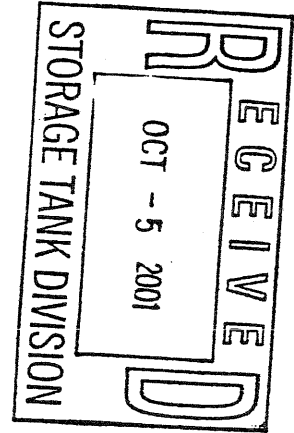
MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY

Appellee.

Kelly L. Page (P24787)
Attorney for Appellant
203 South Niles Street
Paw Paw, MI 49079
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Honorable William C. Buhl
Chief Circuit Court Judge

File No. 01- 48-849 AA-B



CLAIM OF APPEAL

1. Tapper Motors, Inc. claims an appeal from the Department of Environmental Quality's order dated September 11, 2001 imposing a penalty.
2. This appeal is brought pursuant to MCL 600.631 and no bond requirements apply.

Date: 10/2/01

TRUE COPY

OCT 02 2001

Shirley K. Jackson
Van Buren County Clerk

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "Kelly L. Page", written over a horizontal line.

Kelly L. Page (P24787)
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203 South Niles Street
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(616) 657-5591